

practical alternative. Business owners are legally obligated to provide smoke-free workplaces.

How will the Act be enforced?

Compliance is the responsibility of the person having control of an indoor public place or place of employment under this Act. Signs must be posted in a clearly visible location stating smoking is prohibited. These signs must state that violators may be fined. Signs must also be posted in areas where smoking is permitted.

Enforcement of the Act also will be achieved by a complaint system. Employees and the public may report violations of the Act to their local health departments.

What are the penalties?

A person who smokes in violation of the Act is subject to a fine of not less than \$250 for the first offense, \$500 for the second offense and \$1,000 for each subsequent offense.

A person in charge of an indoor public place or workplace who refuses or fails to comply with the Act is subject to a fine of not less than \$250 for the first offense, \$500 for the second offense and \$1,000 for each subsequent offense.

How will this affect business and tourism?

Studies of cities and states with smoke-free workplace laws that include bars and restaurants provide strong evidence that the law

will have a neutral or even a positive impact on the business. One year after the New York City smoke-free workplace law went into effect in March 2003 business receipts for restaurants and bars had increased, employment rose, virtually all establishments were complying with the law, the number of new liquor licenses issued had increased, and tax receipts had increased 8.7% in the first 10 months over the same period the year before the law was implemented – all signs that bars and restaurants were prospering.

How can I find more information?

For more information about the Act visit www.smokefree.nj.gov.

How can I file a complaint?

To file a complaint, contact your local health department whose telephone number is in the government section of your telephone book.

Where can I get help to quit smoking?

If you smoke and want to quit, call the NJ Quitline at 1-866-NJ-STOPS (1-866-657-8677), or visit NJ QuitNet® at www.nj.quitnet.com. Both services are free and offer professional counseling and support.

If you want to help others in your community to quit smoking, visit www.njquit2win.com for resources and tools to help you create a “quit smoking program” in work or meeting places.



Preparing for a Smoke-Free New Jersey.

Understanding the Smoke-Free Air Act



Jon S. Corzine
Governor



Fred M. Jacobs, M.D., J.D.
Commissioner

Effective April 15, 2006, indoor public places and workplaces across the State will be smoke free. The Act ensures that workers have a safe work place and that all nonsmokers, including children and senior citizens, can breathe smoke-free air in the public places they visit.

What indoor public places and workplaces must prohibit smoking?

- Any enclosed location at which a person performs any service or labor;
- Bars;
- Restaurants;
- Public transportation, including all ticketing, boarding platforms and waiting areas; trains, buses, vans, taxicabs and limousines;
- Child care centers;
- Health care facilities, patient waiting rooms and nursing homes;
- Sports facilities, including race tracks and bowling alleys;
- Theaters, clubs, concert halls, public libraries, museums and art galleries;
- Shopping malls and retail stores;
- Parking facilities, lobbies, elevators, and lodging establishments including hotels and motels; and
- Bingo facilities.

How does the Act apply to schools?

Smoking is prohibited in any area of any building of, or on the grounds of, any public or nonpublic elementary or secondary school, regardless of whether the area is an indoor public place or is outdoors.

Are there workplaces the Act does not apply to?

Smoking is allowed in the following areas or businesses:

- Private homes, private residences and private automobiles;
- Hotels, motels or other lodging establishments may permit smoking in up to 20% of guest rooms;
- Within the perimeters of casino gaming areas, and casino simulcasting facilities;
- Cigar bars or lounges that in calendar year ending December 31, 2004, generated 15% or more of total annual gross income from the sale of tobacco products;
- Tobacco retail establishments whose primary activity (51%) is the retail sale of tobacco products and accessories and the sale of other products is incidental.

Why is the Act needed?

Secondhand smoke is a serious health concern for everyone. The Act states that *tobacco smoke constitutes a substantial health hazard*, and therefore, *it is clearly in the public interest to prohibit smoking in enclosed indoor places*. Secondhand smoke is a dangerous combination of the smoke from the burning end of a cigarette, pipe or cigar, and the smoke exhaled by a smoker.

Nonsmokers who breathe in the smoke can suffer serious illnesses as a result of their exposure. Secondhand smoke has been classified by the U.S. Environmental Protection Agency (EPA) as a cause of cancer in humans (Group A carcinogen). Secondhand smoke is sometimes referred to as environmental tobacco smoke or ETS.

How does secondhand smoke affect nonsmokers?

Secondhand smoke contains more than 4,000 substances, including 200 known poisons and 69 known and probable cancer-causing substances. The US EPA estimates that secondhand smoke causes up to 62,000 deaths each year among nonsmokers in the United States, including 3,000 deaths each year due to lung cancer alone. An estimated 300,000 children across the nation develop lower respiratory tract infections each year as a result of exposure to secondhand smoke, with approximately 15,000 of these children hospitalized due to their infections. Exposure to secondhand smoke is a primary cause of asthma and acute asthmatic events. Infants exposed to secondhand smoke are at greater risk for Sudden Infant Death Syndrome (SIDS). For every eight smokers who die from smoking related diseases, one nonsmoker dies along with them from exposure to secondhand smoke.

What about ventilation options?

Because no ventilation system adequately removes secondhand smoke from the air, ventilation systems are not a legal or